

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TODD GLASS,  
Plaintiff,  
v.  
DOCUSIGN, INC.,  
Defendant.

Case No. [23-cv-00864-LJC](#)

**ORDER DENYING PLAINTIFF'S  
REQUEST FOR ADMINISTRATIVE  
RELIEF; ORDER TO SHOW CAUSE**

Re: Dkt. No. 9

Before the Court is Plaintiff's Request for Administrative Relief pursuant to Civil Local Rule 7-11. EFC No. 9. Plaintiff requests an extension of time of sixty days to serve the Summons and Complaint on Defendant DocuSign, Inc. Id. Plaintiff cites the need to retain "privacy and cyber law attorney to assist in (i) further evaluating the information provided by DocuSign, (ii) meeting and conferring with DocuSign's counsel in hopes to resolve the dispute, and (iii) if necessary, preparing an Amended Complaint." Id. ¶ 3. Defendant has not appeared in the case and declined to stipulate to Plaintiff's request. EFC No. 9-1, Decl. of Sherry S. Hamilton ¶¶ 7-8.

Plaintiff's Request is DENIED. Plaintiff fails to show that he diligently tried to serve Defendant pursuant to Rule 4(m) of the Federal Rules of Civil Procedure. Indeed, Plaintiff has not indicated any attempts to serve Defendant, though his counsel has repeatedly engaged with DocuSign's counsel over the course of months, since the complaint was filed on February 23, 2023. Id. ¶¶ 2-8. Plaintiff's counsel has also engaged with him on the status of the case, but not service has been made on Defendant. Id. ¶ 5.

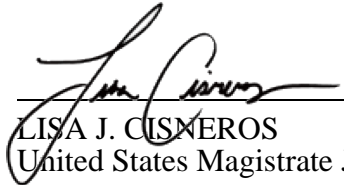
Rule 4(m) states the "[i]f a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant" unless the plaintiff can show "good cause for the

1 failure.” Fed. R. Civ. P. 4(m). Accordingly, the Court hereby issues an ORDER TO SHOW  
2 CAUSE why this matter should not be dismissed without prejudice for failure to serve Defendant  
3 as required by Rule 4(m) of the Federal Rules of Civil Procedure.

4 The hearing on the Order to Show Cause will be held on July 18, 2023, at 10:30 A.M. in  
5 person. Plaintiff may file a response to this Order to Show Cause and any evidence for the Court’s  
6 consideration no later than June 27, 2023.

7 **IT IS SO ORDERED.**

8 Dated: June 1, 2023

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11 LISA J. CISNEROS  
12 United States Magistrate Judge  
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